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FROM: **Barbara M. Hayashi**

RE:

<b>OUR REF: 100302.0016US1</b>	<b>NUMBER OF PAGES, INCLUDING COVER: 3</b>
<b>10/031046</b>	
<b>INTERACTIVE IRRIGATION SYSTEM</b>	
<b>AQUA - JOHN ADDINK, ET AL.</b>	

MESSAGE:

**Attached: Statement of the Substance of the Interview 2 pages**

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/031,046	
	Filing Date	January 11, 2002	
	First Named Inventor	John W. Addink	
	Art Unit	2125	
	Examiner Name	Paul L. Rodriguez	
Total Number of Pages in This Submission	2	Attorney Docket Number	100302.0016US1

ENCLOSURES (Check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Rutan & Tucker		
Signature			
Printed name	Martin Fessenmaier		
Date	1/21/05	Reg No.	46697

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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**JAN 21 2005**

**Inventor: Addink, John et al.**

**Serial No: 10/031,046**

**Filed: 01/11/02**

**For: Interactive Irrigation System**

**Examiner: Paul L. Rodriguez**

**Art Unit: 2125**

**Attorney Docket No.: 100302.0016US1**

**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

Box AF  
Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The applicant thanks the examiner for the interview conducted on January 6, 2005 and files this Statement of the Substance of the Interview as required under MPEP section 713.04.

2077/100302-0016US1  
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### Remarks

In the phone interview conducted on January 6, 2005, the applicant's representative and the examiner discussed claims 1, 27, and 28 as they compare to Collins (U.S. Patent No. 6,402,048) and Peek (U.S. Patent No. 6,343,255).

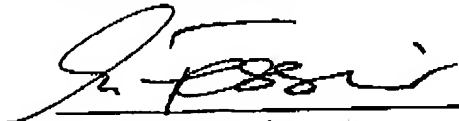
During the interview, the parties discussed why further consideration would be needed by the examiner in light of the fact that the applicant had merely moved dependent elements of claims 27 and 28 into independent claim 1. The examiner pointed out that the applicant had also changed the word "exchanges" to "sends". The parties then discussed that the concept of exchanging information is broader than simply sending information, so the reference which had been cited previously (Peek) against claims 27 and 28 should still be applicable unless the applicant had distinguished that reference. The parties agreed that Peek had indeed been distinguished and therefore the examiner needed to further consider other references.

The parties also discussed the motivation to combine the references of Collins and Peek. The examiner's position was that the motivation to combine was stated in his Office Action. In addition, the examiner summarized the motivation to combine as follows (paraphrased): Collins teaches exchanging information with a government agency; Peek teaches water flow data; it would be obvious to exchange this type of information with a government agency. The applicant's representative disagreed with the examiner stating that the mere recitation of two elements without anymore is not sufficient motivation to combine.

The parties did not come to agreement as to any proposed amendments to the claims.

Respectfully submitted,

Rutan & Tucker, LLP



Martin Fessenmaier  
Reg. No. 46697

Dated: January 21, 2005

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